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S. CON. RES. 37

Expressing the sense of Congress on federalism in Iraq.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2007

Mr. BIDEN (for himself, Mr. BROWNBACK, Mrs. BOXER, Mr. SMITH, Mr. NELSON of Florida, and Mrs. HUTCHISON) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress on federalism in Iraq.

Whereas Iraq continues to experience a self-sustaining cycle of sectarian violence;

Whereas the ongoing sectarian violence presents a threat to regional and world peace, and the long-term security interests of the United States are best served by an Iraq that is stable, not a haven for terrorists, and not a threat to its neighbors;

Whereas Iraqis must reach a comprehensive and sustainable political settlement in order to achieve stability, and the failure of the Iraqis to reach such a settlement is a primary cause of increasing violence in Iraq;

Whereas the Key Judgments of the January 2007 National Intelligence Estimate entitled “Prospects for Iraq’s Sta-

bility: A Challenging Road Ahead” state, “A number of identifiable developments could help to reverse the negative trends driving Iraq’s current trajectory. They include: Broader Sunni acceptance of the current political structure and federalism to begin to reduce one of the major sources of Iraq’s instability . . . Significant concessions by Shia and Kurds to create space for Sunni acceptance of federalism”;

Whereas Article One of the Constitution of Iraq declares Iraq to be a “single, independent federal state;”

Whereas Section Five of the Constitution of Iraq declares that the “federal system in the Republic of Iraq is made up of a decentralized capital, regions, and governorates, and local administrations” and enumerates the expansive powers of regions and the limited powers of the central government and establishes the mechanisms for the creation of new federal regions;

Whereas the federal system created by the Constitution of Iraq would give Iraqis local control over their police and certain laws, including those related to employment, education, religion, and marriage;

Whereas the Constitution of Iraq recognizes the administrative role of the Kurdistan Regional Government in 3 northern Iraqi provinces, known also as the Kurdistan Region;

Whereas the Kurdistan region, recognized by the Constitution of Iraq, is largely stable and peaceful;

Whereas the Iraqi Parliament approved a federalism law on October 11th, 2006, which establishes procedures for the creation of new federal regions and will go into effect 18 months after approval;

Whereas Iraqis recognize Baghdad as the capital of Iraq, and the Constitution of Iraq stipulates that Baghdad may not merge with any federal region;

Whereas, despite their differences, Iraq's sectarian and ethnic groups support the unity and territorial integrity of Iraq; and

Whereas Iraqi Prime Minister Nouri al-Maliki stated on November 27, 2006, "The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians": Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That it is the sense of Congress that—

3 (1) the United States should actively support a
4 political settlement among Iraq's major factions
5 based upon the provisions of the Constitution of Iraq
6 that create a federal system of government and allow
7 for the creation of federal regions;

8 (2) the active support referenced in paragraph
9 (1) above should include—

10 (A) calling on the international community,
11 including countries with troops in Iraq, the per-
12 manent 5 members of the United Nations Secu-
13 rity Council, members of the Gulf Cooperation
14 Council, and Iraq's neighbors—

15 (i) to support an Iraqi political settle-
16 ment based on federalism;

1 (ii) to acknowledge the sovereignty
2 and territorial integrity of Iraq; and

3 (iii) to fulfill commitments for the ur-
4 gent delivery of significant assistance and
5 debt relief to Iraq, especially those made
6 by the member states of the Gulf Coopera-
7 tion Council;

8 (B) further calling on Iraq's neighbors to
9 pledge not to intervene in or destabilize Iraq
10 and to agree to related verification mechanisms;
11 and

12 (C) convening a conference for Iraqis to
13 reach an agreement on a comprehensive polit-
14 ical settlement based on the creation of federal
15 regions within a united Iraq;

16 (3) the United States should urge the Govern-
17 ment of Iraq to quickly agree upon and implement
18 a law providing for the equitable distribution of oil
19 revenues, which is a critical component of a com-
20 prehensive political settlement based upon fed-
21 eralism; and

22 (4) the steps described in paragraphs (1), (2),
23 and (3) above could lead to an Iraq that is stable,

- 1 not a haven for terrorists, and not a threat to its
- 2 neighbors.

